



# PUBLIC NOTICE

Federal Communications Commission  
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## COMMENTS INVITED ON APPLICATION OF BELL SOUTH LONG DISTANCE, INC. D/B/A AT&T LONG DISTANCE TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 09-235  
Comp. Pol. File No. 926

Comments Due: January 26, 2010

### Section 214 Application

Applicant: BellSouth Long Distance, Inc. d/b/a AT&T Long Distance

On December 17, 2009, BellSouth Long Distance, Inc. d/b/a AT&T Long Distance (AT&T or Applicant), located at 2180 Lake Boulevard, Suite 500, Atlanta, GA 30319, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services throughout the continental United States, Alaska, Hawaii, Puerto Rico and the U.S. Virgin Islands (collectively Service Areas).

AT&T indicates that it currently provides BellSouth Long Distance Frame Relay and BellSouth Long Distance Asynchronous Transfer Mode (ATM) Services in the Service Areas. AT&T explains that its frame relay service is an end-to-end data network offering based on frame relay or packet switched technology, and that it provides fast, efficient and reliable data connectivity between two to many locations. AT&T further explains that its ATM service is an end-to-end data network offering based on cell relay technology, and that it also provides high speed, efficient and reliable data transfer between two to many locations. AT&T states that as a result of the acquisition of BellSouth Corporation and its affiliated companies by AT&T Inc., the combined entity is streamlining its service portfolio. AT&T indicates that it therefore plans to discontinue its current provision of BellSouth Long Distance Frame Relay and BellSouth Long Distance ATM Services in the Service Areas on or after January 27, 2010, subject to regulatory approval. Specifically, AT&T explains that it plans to cease offering these services to new customers on or after January 27, 2010, but that current customers will be allowed to continue receiving these services in accordance with their contracts or on a month-to-month basis until June 30, 2012. AT&T maintains that there are many alternative providers of these services, and states that such services will be provided by another AT&T affiliate such as AT&T Corp. if the application is approved. AT&T indicates that it sent notice of the proposed discontinuance to all affected customers via U.S. Mail on December 17, 2009. AT&T states that it is considered non-dominant with respect to the services to be discontinued.

In accordance with section 63.71(c) of the Commission's rules, AT&T's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the

Commission notifies AT&T that the grant will not be automatically effective. In its application and notice to customers, AT&T indicates that it anticipates discontinuing service on or after January 27, 2010, subject to regulatory approval. Accordingly, pursuant to section 63.71(c) and the terms of AT&T's application and notice, absent further Commission action, AT&T may terminate its BellSouth Long Distance Frame Relay and BellSouth Long Distance ATM services in the affected Service Areas on or after **February 11, 2010**. The Commission ~~normally~~ will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **January 26, 2010**. Such comments should refer to **WC Docket No. 09-235 and Comp. Pol. File No. 926**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. **Effective December 28, 2009, the Commission's contractor will only receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at the FCC Headquarters building, located at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554.** The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington,

D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM). People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Kimberly Jackson, (202) 418-7393 (voice), [kimberly.jackson@fcc.gov](mailto:kimberly.jackson@fcc.gov), of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

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